

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERIK FLEMING,

Defendant.

CR No. 2:24-cr-00417-AB

I N F O R M A T I O N

[21 U.S.C. § 846: Conspiracy to Distribute Ketamine; 21 U.S.C. §§ 841(a)(1), (b)(1)(E)(i): Distribution of Ketamine Resulting in Death and Serious Bodily Injury]

The United States Attorney charges:

COUNT ONE

[21 U.S.C. § 846]

A. INTRODUCTORY ALLEGATIONS

At all times relevant to this Information:

1. Defendant FLEMING was a resident of Los Angeles County.

2. Co-Conspirator 3 was a resident of Los Angeles County and employed as the live-in personal assistant to Victim M.P., who also resided in Los Angeles County.

3. Co-Conspirator 4 was a resident of Los Angeles County and was known to defendant FLEMING as the "Ketamine Queen."

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1 B. OBJECT OF THE CONSPIRACY

2 Beginning on a date unknown but no later than October 2023 and
3 continuing until at least on or about October 30, 2023, in Los
4 Angeles County, within the Central District of California, and
5 elsewhere, defendant ERIK FLEMING conspired with others known and
6 unknown to the United States Attorney, to knowingly and intentionally
7 distribute ketamine, a Schedule III controlled substance, in
8 violation of Title 21, United States Code, Sections 841(a)(1),
9 841(b)(1)(E)(i).

10 B. MANNER AND MEANS OF THE CONSPIRACY

11 The object of the conspiracy was to be accomplished, in
12 substance, as follows:

13 1. Defendant FLEMING would communicate with other co-
14 conspirators, including Co-Conspirators 3 and 4, about purchasing
15 ketamine to distribute to Victim M.P.

16 2. Defendant FLEMING would negotiate with Co-Conspirator 3 the
17 price defendant FLEMING would charge to deliver ketamine that
18 defendant FLEMING acquired from his ketamine source, Co-Conspirator
19 4.

20 3. Defendant FLEMING would take payment from Co-Conspirator 3
21 and keep a portion for his cut, or "logistics fee," and deliver cash
22 to Co-Conspirator 4 for ketamine.

23 4. Defendant FLEMING would deliver the ketamine from Co-
24 Conspirator 4 to Co-Conspirator 3, knowing that Co-Conspirator 3
25 would use the ketamine to inject Victim M.P., and that Co-Conspirator
26 3 was not a medical doctor and did not have training or experience
27 administering controlled substances.

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1 C. OVERT ACTS

2 On or about the following dates, in furtherance of the
3 conspiracy and to accomplish its object, defendant FLEMING and others
4 known and unknown to the Grand Jury committed various overt acts
5 within the Central District of California, and elsewhere, including,
6 but not limited to, the following:

7 Overt Act No. 1: On October 10, 2023, Co-Conspirator 3 sent
8 defendant FLEMING a text message about purchasing ketamine for Victim
9 M.P., stating: "How much do you want per bottle and what is the nice
10 tip you want[?]"

11 Overt Act No. 2: On October 10, 2023, in response to the text
12 message described in Overt Act No. 1, defendant FLEMING confirmed he
13 was willing to obtain and deliver ketamine and stated the following:
14 "[g]etting price now. I need some upfront to pay when I pick up. And
15 rest when I deliver."

16 Overt Act No. 3: On October 10, 2023, defendant FLEMING
17 texted Co-Conspirator 3 an image of a vial of ketamine with a horse
18 image on the packaging and stated: "10 ml vial - pure - \$300 vial.
19 Is 1000 fai[r] for me? - let me know how many vials."

20 Overt Act No. 4: On October 10, 2023, defendant FLEMING
21 communicated with Co-Conspirator 4 using the Signal encrypted
22 messaging application: "Hi Jas. It's Erik . . . Let me know your addy
23 How many vials do u have availability."

24 Overt Act No. 5: On October 10, 2023, using the Signal
25 messaging application, defendant FLEMING and Co-Conspirator 4
26 communicated about the type and price of the ketamine that Co-
27 Conspirator 4 had available for sale.

1 Overt Act No. 6: On October 11, 2023, using the Signal
2 application, Co-Conspirator 4 told defendant FLEMING that her
3 ketamine was high quality and offered a sample of the drug, stating:
4 "It's unmarked but it's amazing - he take one and try it and I have
5 more if he likes."

6 Overt Act No. 7: On October 11, 2023, defendant FLEMING sent
7 a screenshot of Co-Conspirator 4's message referenced in Overt Act
8 No. 6 to Co-Conspirator 3 and stated: "[j]ust got this from my
9 person. She only deal[s] with high end and celebs. If it were not
10 great stuff she'd lose her business."

11 Overt Act No. 8: On October 13, 2023, defendant FLEMING drove
12 to Co-Conspirator 4's residence located in North Hollywood,
13 California, and purchased a ketamine sample for Victim M.P., which
14 was contained inside an unlabeled, unmarked clear glass vial with a
15 blue cap.

16 Overt Act No. 9: On October 13, 2023, defendant FLEMING
17 delivered the sample ketamine vial to Co-Conspirator 3, knowing that
18 Co-Conspirator 3 would be injecting Victim M.P. with the ketamine.

19 Overt Act No. 10: On October 13, 2023, after administering one
20 or more shots of ketamine to Victim M.P., Co-Conspirator 3 sent a
21 text message to defendant FLEMING describing Victim M.P.'s response,
22 stating: "seems good ... What number of bots does [Co-Conspirator 4]
23 have?"

24 Overt Act No. 11: On October 13, 2023, in response the text
25 message described in Overt Act No. 10, defendant FLEMING stated: "As
26 many as u want" and "Let me know how many ... and I'll confirm what
27 she can get. But as of now she said she can fill any order."
28

1 Overt Act No. 12: On October 13, 2023, Co-Conspirator 3 told
2 defendant FLEMING he would purchase "25 vials \$5500 @220 +500 for you
3 for logistics."

4 Overt Act No. 13: On October 14, 2023, defendant FLEMING drove
5 to Victim M.P.'s residence located in Los Angeles County and
6 collected \$5,500 in cash from Co-Conspirator 3.

7 Overt Act No. 14: On October 14, 2023, defendant FLEMING drove
8 to Co-Conspirator 4's residence in North Hollywood, California, and
9 purchased 25 vials of ketamine for Victim M.P.

10 Overt Act No. 15: On October 14, 2023, defendant FLEMING drove
11 back to Victim M.P.'s residence located in Los Angeles County and
12 delivered the ketamine from Co-Conspirator 4 to Co-Conspirator 3.

13 Overt Act No. 16: On October 23, 2023, Co-Conspirator 3 sent a
14 text message to defendant FLEMING requesting additional ketamine for
15 Victim M.P., stating: "Can we do same as last time again over next 2
16 days?"

17 Overt Act No. 17: On October 23, 2023, in response to the text
18 message referenced in Overt Act No. 16, defendant FLEMING confirmed
19 he could get more, stating: "It will be same product. You want same
20 amount? Put the 5500 together asap and ill come get it as soon as
21 possible to get it all done tonight."

22 Overt Act No. 18: On October 23, 2023, defendant FLEMING drove
23 to Victim M.P.'s residence and picked up approximately \$6,000 in cash
24 from Co-Conspirator 3 to purchase ketamine from Co-Conspirator 4.

25 Overt Act No. 19: On October 24, 2023, based on information
26 from Co-Conspirator 4, defendant FLEMING sent text message updates to
27 Co-Conspirator 3 about the delivery and timing of the ketamine,
28 including stating that Co-Conspirator 4's ketamine source -- which

1 Co-Conspirator 4 referred to as the "master chef" and "scientist" --
2 would make the supply available.

3 Overt Act No. 20: On October 24, 2023, defendant FLEMING
4 traveled to Co-Conspirator 4's residence in North Hollywood,
5 California, and purchased 25 vials of ketamine in exchange for cash.
6 As part of the transaction, Co-Conspirator 4 included ketamine
7 lollipops as an "add on" for Victim M.P.'s large ketamine order.

8 Overt Act No. 21: On October 24, 2023, defendant FLEMING
9 traveled to Victim M.P.'s residence and delivered the ketamine
10 referenced in Overt Act No. 20 to Co-Conspirator 3.

11 Overt Act No. 22: On October 26, 2023, defendant FLEMING
12 reached out to Co-Conspirator 3 to discuss how to better package the
13 next purchase of ketamine, stating: "How are you? I realized on next
14 shipment we could probably get it packaged in fewer bigger boxes
15 instead or resale size."

16 Overt Act No. 23: Between October 24, 2023 and October 28,
17 2023, Co-Conspirator 3 repeatedly administered shots of the ketamine
18 provided by defendant FLEMING and Co-Conspirator 4 to Victim M.P.,
19 including shots that resulted in the death and serious bodily injury
20 of Victim M.P. on October 28, 2023.

21 Overt Act No. 24: On October 28, 2023, after Co-Conspirator 4
22 learned about Victim M.P.'s death from news reports, Co-Conspirator 4
23 called defendant FLEMING using the Signal application to discuss the
24 co-conspirators distancing themselves from the aforementioned drug
25 deals by, among other things, deleting digital evidence on their cell
26 phones.

1 Overt Act No. 25: On October 28, 2023, Co-Conspirator 4
2 updated the setting on the Signal application to automatically delete
3 messages between Co-Conspirator 4 and defendant FLEMING.

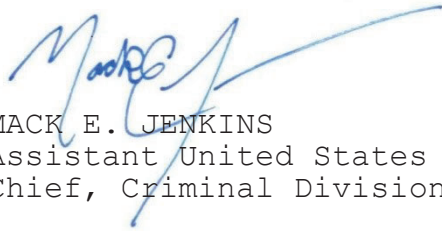
4 Overt Act No. 26: On October 30, 2023, after speaking with Co-
5 Conspirator 3, defendant FLEMING sent the following text message to
6 Co-Conspirator 4 using the Signal application: "Please call . . . Got
7 more info and want to bounce ideas off you. I'm 90% sure everyone is
8 protected. I never dealt with [Victim M.P.]. Only his Assistant. So
9 the Assistant was the enabler. Also they are doing a 3 month tox
10 screening ... Does K stay in your system or is it immediately flushed
11 out[?]"

COUNT TWO

[21 U.S.C. §§ 841(a)(1), (b)(1)(E)(i)]

On or about October 24, 2023, in Los Angeles County, within the Central District of California, defendant ERIK FLEMING knowingly and intentionally distributed ketamine, a Schedule III controlled substance, the use of which resulted in the death and serious bodily injury of M.P. on or about October 28, 2023.

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